

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO: 09-127</b>
<b>v.</b>	*	<b>SECTION: "J"</b>
<b>JASON APPELDORN</b>	*	<b>VIOLATION: 18 U.S.C. § 2252(a)(4)(B)</b> <b>18 U.S.C. § 2253</b>
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*	*	*

**FACTUAL BASIS**

Should this matter proceed to trial, both the government and the defendant, **JASON APPELDORN**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would show that at all times mentioned in the Bill of Information, the defendant, **JASON APPELDORN**, was a resident of the Eastern District of Louisiana, living in Gray, Louisiana.

The government would present evidence that on or about March 5, 2009, U. S. Probation Officers conducted a lawful search of defendant's residence located at 118 Fairlane Drive, Gray, Louisiana. Probation officers would testify that they recovered cellular telephones with Internet

access and a SanDisk 4GB mobile memory card which was hidden under a sofa cushion at the defendant's residence.

The government would establish through testimony and documentary evidence that **JASON APPELDORN** knowingly used his phone to search for, download, and save images of child pornography. Further, the evidence and testimony would establish that a computer forensic search of **JASON APPELDORN's** seized SanDisk 4GB mobile memory card revealed approximately 8 images depicting the sexual victimization of children. U. S. Probation Officers would testify that they reviewed the defendant's Internet history on his cell phone and found that the defendant had used several search terms including "family incest", "family fucking", "preteen", and "preteen pictures."

Further, the government would introduce statements through ICE agents and U. S. Probation Officers, wherein **JASON APPELDORN** voluntarily admitted to federal law enforcement that he owned the SanDisk 4GB mobile memory card found by probation officers. **APPELDORN** admitted to ICE agents that he used his cell phone to search for pornography. **APPELDORN** said he had an attraction to young images of children. According to **APPELDORN**, he was somewhat relieved that U. S. Probation showed up at his residence because he felt that the situation would have only gotten worse if he had not been stopped.

Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that some of the child victims depicted in the images possessed by **APPELDORN** were of real victims, less than the age of eighteen (18) at the time the child pornography was created.

\_\_\_\_\_ Testimony would establish that some of the child victims depicted in the materials possessed by **JASON APPELDORN** were of prepubescent children less than 18 years of age; to wit: less than

twelve (12) years old and that the images of the child victims were engaged in “sexually explicit conduct” as defined in Title 18, United States Code, Section 2256. All of the images of child pornography possessed by the defendant, would be introduced through the testimony of FBI computer forensic examiners. For example, FBI agents located on the defendant’s SanDisk 4GB card an image of a prepubescent girl performing oral sex on what appears to be an adult male.

Further, the government would present evidence that would establish that the images of child pornography had been transported in interstate and foreign commerce via computer.

Further, the government would present evidence at sentencing that on March 16, 2005, the defendant, **JASON APPELDORN**, was convicted of Possession of Materials Involving the Sexual Exploitation of Minors in violation of Title 18, United States Code, Section 2252A(a)(5)(B), in the United States District Court for the Eastern District of Louisiana.

Further, the government would show through testimony and documentary evidence that the equipment used by the defendant to acquire and store the child pornography was transported in interstate or foreign commerce.

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JASON APPELDORN  
Defendant

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DATE

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SAMUEL SCILLITANI  
Counsel for Defendant

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DATE

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BRIAN M. KLEBBA  
Assistant United States Attorney

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DATE